

5. MRS Associates is a debt collector as defined by 15 U.S.C. § 1692a(6).

Defendant regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another.

### **Factual Allegations**

6. Defendant has been attempting to collect from plaintiff an alleged debt incurred for personal, family or household purposes.

7. On or about April 14, 2014, MRS Associates sent plaintiff the letter attached as Exhibit A.

8. The envelope to which the letter was contained is attached as Exhibit B.

9. The front of the envelope displayed the account number or reference number which MRS Associates assigned to plaintiff.

10. Defendant's conduct violates the Federal Fair Debt Collection Practices Act, 15 U.S.C. 1692 et al.

11. EXHIBIT A-B are printed forms, prepared in a standard manner. They have bar-coded addresses and return addresses, required by the Postal Services for a discounted postage rate when 500 or more similar pieces of mail are sent at once.

### **COUNT I – FDCPA**

12. Plaintiff incorporates paragraphs 1-11.

13. The display of the account number on Exhibit B violated 15 U.S.C. §1692f(8). *Douglass v. Convergent Outsourcing*, 765 F.3d 299 (3rd Cir. 2014).

14. Section 1692f provides:

#### **§ 1692f. Unfair practices [Section 808 of P.L.]**

**A debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: . . .**

**(8) Using any language or symbol, other than the debt collector's address, on any envelope when communicating with a consumer by use of the mails or by telegram, except**

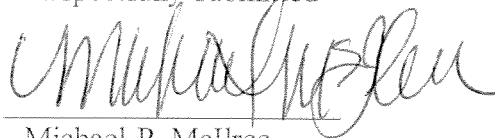
that a debt collector may use his business name if such name does not indicate that he is in the debt collection business.

WHEREFORE, the Court should enter judgment in favor of plaintiff and against defendant for:

- (1) Statutory damages;
- (2) Attorney's fees, litigation expenses and costs of suit; and
- (3) Such other and further relief as the Court deems proper.

Respectfully submitted

By



Michael P. McIlree  
Counsel for Plaintiff

**JURY DEMAND**



Plaintiff demands trial by jury.

Michael P. McIlree, #19847-45  
Attorney at Law  
15 Main St.  
Hobart, IN 46342  
Tel: (219) 548-1800  
Fax: (219) 548-5905  
Attorney for Plaintiff

EXHIBIT A



Send Payment/Correspondence to:  
MRS Associates  
1930 Olney Ave.  
Cherry Hill, NJ 08003  
800-957-6314

Office Hours:  
Monday - Thursday 9am - 9pm ET  
Friday 9am - 8pm ET

RE: AT&T  
CLIENT ACCT#: xxx-xxx-xxxx  
MRS ACCT# [REDACTED] Use only bold numbers when calling  
**AMOUNT DUE : \$585.02**

April 14, 2014

Dear LAWRENCE HAWKINS,

The above referenced client has placed your account with our office for collection. We recognize that sometimes circumstances or events can make it difficult to satisfy your financial obligations.

Resolving a long overdue debt is never easy. Often the hardest part is taking the first step. We are ready to assist you to find a solution that is both fair and reasonable. At this time, you are eligible for a settlement to resolve this debt. We are not obligated to renew this offer.

You pay \$234.10 in 2 equal installments. Your first payment of \$117.05 is due by 05/29/2014. Subsequent payment(s) are due by the 29th of the month until the settlement amount is paid in full.

Payment may be made by calling 800-957-6314, mailing to the above address or by using our online payment website at <https://mrs.pay.webview.com> (internet connection required). If you have any questions or wish to discuss other arrangements, you may contact us.

**IMPORTANT CONSUMER INFORMATION**

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Sincerely,

MRS Associates  
800-957-6314  
MRS Associates is a trade name of MRS BPO, L.L.C.  
EIN: 1126221725815

**Tax time is a great time to put nagging issues like this behind you once and for all. Consider using your tax refund to satisfy your outstanding obligation.**

**NOTICE OF PAYMENT FEE CHARGE**

Should you elect to make a payment by Western Union, or a credit card, a separate fee will be charged by the payment service provider or processor. These fees are not paid to, nor charged by, MRS BPO, L.L.C.

This is an attempt to collect a debt and any information obtained will be used for that purpose.  
This communication is from a debt collection agency.

MRS may report this account to all national credit bureaus after the expiration of the validation period.

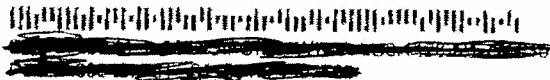
EXHIBIT B



Return Address :  
MRS BPO, L.L.C.  
1930 OLNEY AVENUE  
CHERRY HILL NJ 08003



PRESORT  
FIRST-CLASS  
U.S. POSTAGE &  
FEES PAID  
HOV SERVICES



LAWRENCE HAWKINS  
5255 DOVER AVE  
PORTAGE IN 46368-6676

KAREN M. MARTIN  
CLERK OF THE CIRCUIT COURT  
PORTER COUNTY COURTHOUSE  
16 LINCOLNWAY • SUITE 209  
VALPARAISO, INDIANA 46383

9171 9690 0935 0089 2296 58

MRS BPC LLC  
Attn: H.E.C.  
1930 CINDY RD.  
CHERRY HILL, NJ 08002

WKS SPU, LLC  
APR 20 2015  
RECEIVED

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